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INDEPENDENT COMMISSION AGAINST CORRUPTION

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 22 MAY, 2019

AT 2.00PM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Right. Thank you, Mr Singh.

MS WRIGHT: Mr Singh, still in relation to the under-vehicle camera project, if Mr Singh could be shown volume 1, page 100, please. This is a purchase order request you will see in favour of Novation Engineering you'll see for 21 under-vehicle cameras.---Yep.

10

And it's dated 19 November, 2015, so that's about 10 days after the memo that we just saw before the luncheon adjournment. And that's your signature there, is it?---Yes.

And you are shown as a requester for the purchase order?---Yeah.

And Mr Soliman has signed as the delegated approval-holder.---Yes.

20 And how did you come to be the requester?---So I didn't actually put this document together, I didn't fill in the form.

THE COMMISSIONER: Who did?

MS WRIGHT: Did you sign it?---I did sign it, I did sign it. Samer, I'm guessing Samer because if you look at my position it says business analyst. Normally when I put a purchase order together I say business systems analyst.

30 And so you didn't fill it in?---No.

And what were the circumstances in which you came to sign?---So he presented, he would have presented to me, this is my recollection, he would have presented to me, explained what the purchase order was for and he would just ask me to sign it and he would put my requester details in and would just ask me to sign it as a requester.

40 When you say he would have, is that what you recall happened?---That's what I would recall is how what would happen, because yeah, he would have put it together and presented it to me and just explained what the purchase order was for and just asked me to sign it as the requester.

And what was the requester's role?---The requester is just the person who just fills in the form.

But you're saying you didn't do it for this purchaser order request?---No, I didn't do it for this purchase order.

Was the requester a project manager for the particular - - -?---No.

- - - project or work being - - -?---Requester could be - - -

If you could just wait till the end of the question.---Oh, sorry.

Was the requester the project manager for the particular project or items being, in respect of which expenditure is being requested?---No.

10 And does the requester, and putting aside this particular purchase order request, does the requester manage the work?---No.

THE COMMISSIONER: Does the requester have to have any association whatsoever with the project?---The requester could be anyone really, so Samer would just go to someone in the team and just ask them to raise a purchase order on his behalf and he'd sign off, because he's got the delegation to sign off on it, he would sign off on it, so it saves him from having to fill in the form and then going to his manager to get sign-off.

20 MS WRIGHT: If the person doesn't have necessarily anything to do with the particular project, what's the purpose of the requirement for a signature by a requester to your understanding?---I'm not sure. I'm guessing it's just, just to show who, who raised the purchase order. Not the purchase order, who filled in the form that's my understanding. I don't have any, that's my understanding of it, just shows who filled in the form and yeah.

Did you regard yourself as a project manager for this particular project of under-vehicle cameras?---Not the project manager, but when the cameras did come in, I had to put together a user guide.

30 So cameras eventually arrived?---The cameras arrived into our office and I was tasked with putting together a user guide for the inspectors to basically explain how to use the, the device.

Now, just staying with the purchase order for a moment. Did you submit the purchase order to the Finance section of RMS?---Not sure to be honest. If it was me there would be an email record of me sending it to Finance.

40 And you'll note the value of \$45,780 on the purchase order. If we could turn to page 101, please. Did you see this quote at the time Mr Soliman asked you to sign the purchase order?---No. He, he didn't show me the quote.

You didn't ask to see a quote?---No, I didn't.

You would have seen from the purchase order request that there were 21 cameras being ordered?---Yeah, so he would have told me that he's ordering 21 cameras to send out to the different sectors, spilt them into four or five and, yeah, send them out.

And did you take note of the total value, which was about \$45,000?---No, I didn't take note of that, no, sorry.

Were you aware of the unit price of each camera?---So when I ordered two, I would have, I would have seen it was \$389, but this time around I wouldn't have paid attention to the price. I would have, I would have trusted Samer's, you know, explanation and I would have just signed it.

10 But you've signed this document. You wouldn't have paid any attention to what you were signing?---No, unfortunately, no.

And how does that price, you can see the quote which quotes \$2,180, have you seen that before today?---\$2,180?

Per unit.---No.

You haven't seen that before today?---That price, no.

20 You weren't aware of that price before today?---No.

THE COMMISSIONER: Can I just ask, could we go back to page 100, please. Where you've signed it as the requester it says, "Cannot be a business partner." Do you see that?---Yes.

What's a business partner?---I always thought it was a contractor. That's my understanding. I don't know if that's, I don't know if that's right or wrong but, yeah.

30 So that means it can't be requested by somebody outside - - -?---That's contracted by RMS, yeah.

And is your understanding of the delegated approval is that it requires somebody more senior to - - -?---Someone, someone - oh, sorry.

More senior to look at this and say, yes, it's okay?---It's whoever has the delegation to approve that value of the, this purchase order request. So - - -

40 But it's a checking mechanism, isn't it? Is that what its aim is?---I can't - - -

So you can't just order it by yourself?---No, I can't, I don't have, I have no delegation. I can't even approve or, yeah, raise anything. So I think it's, yeah, I think it's just for whoever's got the delegation just to review it, make sure it's all correct, and if they've got any questions, I guess they, yeah, raise it.

Which is a bit redundant when Mr Soliman filled out the form?---Yep.

MS WRIGHT: What did you understand Mr Soliman's delegation to approve expenditure to be?---When this was raised I would have not known, but I did have to have, did have to have a look at a delegations manual once and I think delegation four is up to 250,000.

And delegation four you understood applied to him, did you?---Well, when you go, so on, there's an RMS directory, so when you search up an employee, it actually gives you the delegation they are, so that was his delegation.

10

THE COMMISSIONER: So you looked him up on that system?---So you've got to look him up, yeah.

And it was level four. Is that how it's described?---Well, he filled this in so
- - -

No, no, no, no. When you said that at one stage you looked up – sorry, at one stage you discovered his delegation was four - - -?---Four, yeah.

20 - - - is that because you had looked him on this system?---Directory, yes.

On the directory.---Yeah.

Thank you. And did it remain four, at level four for the whole time you were working with him?---I'm not sure, to be honest. I think there was discussions about him having to change but I don't recall what happened with that, yeah.

30 MS WRIGHT: Now, the 21 cameras which you've said you received, you received them at RMS?---Yeah, at our Octagon office in Parramatta.

And were they the same brand and model of camera as you had ordered earlier in the year?---Yes.

And which were sent to Mount White?---Yes.

And Mount White, when you refer to that you're referring to a heavy vehicle safety station?---Heavy vehicle safety station. Yeah.

40 And you have no knowledge about how the figure of \$45,000 was derived? ---No, I don't.

At this time you knew that Novation was Mr Thammiah's company, did you?---Yes.

And did you understand him to have any expertise in heavy vehicles?---I honestly don't know what his expertise was, yeah.

Did you have any thoughts about whether there was any reason why RMS could not procure the cameras itself?---At the time, no, but in hindsight, like I'm thinking about it now, I could have done it myself. At the time that didn't cross my mind, no.

And you said that you came up with a manual or you drafted a manual.
---Yeah.

10 How did you come up with that manual?---So there was a manual provided with the device itself but I thought I'd simplify it. So it was like a bit of a cheat sheet. Basically just providing the basic instructions for the inspectors instead of them having to go through the manual, and it was laminated as well because just in case the original manual gets roughed up and destroyed for any reason so - - -

And Novation didn't provide any training in how to use the cameras?---Not that I know of, no.

20 When the cameras arrived, did they require any enhancements or changes?
---Yes. So when they arrived, so as I mentioned before Phillip Nash had to modify the device so he could reach under the heavy vehicle. So when those devices arrived to our team they were given to Craig Steyn who is in my team.

Did you give them to Mr Steyn?---I think it was Samer. I think when they arrived Samer gave them to Craig, so Craig then supplied them to a fabricator to then make the longer handles and the necessary adjustments.

30 Was that part of the quote from Novation or was that extra cost to the RMS?---That would have been extra cost I'd imagine.

Were you involved in the purchase order for that expenditure?---For, for the, no, not for the - - -

The handles?--- - - - fabrication but we did order bags also and I was involved in the purchasing of that.

40 Well, in that regard if Mr Singh could please be shown page 120 of volume 1.

THE COMMISSIONER: Just while we're getting that, the fabricator I take it was a contractor outside RMS?---Yes.

MS WRIGHT: This is an email chain to you, Mr Singh. The first email on the page is from Michael Romano.---Yeah.

Was he one of the managers of one of the sectors?---He was a sector manager, yes.

And he said that, "The units have not been successful and I have no use for them."---Yeah.

Now, just working backwards in time, the second email on the page is an email from you to Mr Romano and others saying that the carry bags for the under-vehicle cameras have arrived.---Yeah.

10 And did you order those carry bags?---Yes, I was tasked with ordering the carry bags.

By?---Samer.

And did RMS have to pay for those bags?---Yes.

So that was outside the quote.---Yes, that's correct.

Not part of the scope of works within the quote that Novation provided. ---That's correct.

20

What was the cost of the bags?---Sorry, I don't, I don't remember.

The third email on the page refers to, is an email from Mr Soliman. "Good morning, gents. After a lot of enhancements to the under-vehicle cameras following feedback from everyone the trial units have been delivered." And then in the second paragraph he refers to a forthcoming trial. Did a trial go ahead?---I'm not sure. I wasn't actually involved. There was a trial, I wasn't involved.

30 And then page 121, is that the bag?---Yeah.

And were they specially manufactured bags to fit these particular cameras? ---Yeah, they were, they were custom, custom-made.

Then page 122 is an email from Mr Soliman which refers to the units coming from overseas, you can see he sourced them from Canada. It's in the middle email. "Note, the units are coming from overseas."---Yeah.

40 And a reference to it, "Taking some time to procure and modify the extension arm for under-vehicle heavy needs." How long did it take to modify the extension arm, do you know?---I don't recall, sorry.

And ultimately the modifications having been made and the custom bags obtained, were the 21 cameras a success or a failure, to your knowledge? ---From my knowledge I heard it was a failure because there's a meeting that's managed by Raymond Jenkins, who's a sector manager, it's a systems working group meeting where he gets inspectors from the different sectors to come in and they discuss system-related issues or anything about business

processes, and it was raised in that meeting, these under-vehicle cameras came up, the topic, and I think someone, I forgot who it was in that meeting, said, yeah, it was just a failure, yeah.

THE COMMISSIONER: Did you attend the meeting?---I was at that meeting, yes.

And what was the meeting's title again?---It's a, it's, I think it's VR for vehicle regulations, and then systems working group.

10

MS WRIGHT: How often did those meetings occur?---Once every couple of months, because the guys have to come from all over the state, so it wasn't, it wasn't often.

And during those meetings did you discuss the technology trials and new technology?---Not really, not that I can remember. The one I did raise was there was at (not transcribable) we were installing a camera there to capture heavy vehicles, because there's a checking, it's an inspection station but they have no, there's no automated screening, so we were looking at
20 installing a camera there to capture a number plate of a heavy vehicle which would then be fed to the inspection station and they can punch in the number plate and actually screen the vehicle before they decide to pull it in or not, so I did raise that one in the meeting. I can't remember raising any other items, yeah.

Now, you signed a number of purchase orders in favour of Novation Engineering. Do you agree?---Yes.

And I'm going to take you to them.---Okay.

30

Were you the project manager for any of those projects that Novation was involved in?---No.

And so in signing purchase orders, did you have any broader role in any of those projects?---I might have to have a look at the projects before, yeah.

Well, if Mr Singh could be taken to page 123 of volume 1, please. This is the same sort of form, a purchase order request again in favour of Novation Engineering, dated 7 December, 2015, for a mobile ANPR technology, and the scope of works includes a scoping study and field trials. And you're the requester and again Mr Soliman has the delegated approval to sign and did
40 sign. Did you regard yourself and a project manager for this project?---No.

Whose project was it?---I believe this was Samer's. He did mention to it, to me that he was going to trial, I forgot the brand but it was, like, a mobile ANPR camera that he was going to trial. So, yeah, he is the manager for that one.

What did you understand a scoping study and field trial to be?---So, a field trial is actually trialling that device out in the field and the scoping study would be the result of that field trial, so the performance and ways it could, different applications where it could be used, yeah, outcomes, yeah.

And how did you understand the result to be communicated?---How it was supposed to be communicated?

Yes.---Like, in the form of a report?

10

Yes. Did you understand that there would be a report?---Yeah, that's my understanding, yes.

And at page 124, there's a quote. When you signed the purchase order, you would have seen this quote?---Again, I didn't raise that purchase order.

Well, you've signed it as a requester.---Yeah, I know, I have, yeah, Samer would have just done the same thing and just asked me to sign it.

20 Did you see this quote?---I don't think I have, no.

Did a trial of a mobile ANPR technology take place?---He did tell me the outcomes. He said it didn't perform well, yeah, so I guess the, wasn't a good outcome.

Are you referring to Samer?---Yeah.

And so you didn't attend any trial?---No, I didn't attend the trial for this.

30 Did he tell you whether he had attended a trial?---He didn't tell me whether he attended a trial but he told me the outcome so I assume he was across the trial.

The Commission has heard evidence that you attended three trials with Ali Hamidi.---Yes.

40 Did you ever attend a trial with Mr Thammiah?---So there was a thermal camera trial at Marulan. I attended the site just to see how it was all going and to check out the thermal camera and Stephen was there. I didn't stay there for too long, I remember leaving.

THE COMMISSIONER: So that was, sorry, Mr Thammiah was - - -?
---Yeah, Mr Thammiah was there. Other than that – so he also was engaged for a, a SICK trial at Marulan for a dimension sensor but on the days he was supposed to attend, Samer got in touch with me and told me that he wasn't able to attend. He had an injury of some sort.

MS WRIGHT: Who Thammiah or Soliman?---Yeah, Stephen Thammiah. He had an injury and he asked me to go to the site instead and liaise with the, the vendor who was running the system to capture the data. Other than that, I can't remember, well, he wasn't there for that trial - - -

THE COMMISSIONER: Just before we move this, ANPR, what does that stand for?---Automatic number plate recognition.

Oh, right.

10

MS WRIGHT: Did you ever see a scoping study report in relation to this ANPR technology trial?---No. I did not.

THE COMMISSIONER: What was the procedure when a scoping study was produced?---So I guess it gets reviewed by whoever it's sent to.

So is that the project manager?---Yeah, that would be the project manager.

20

So they'd review it and it may say - - -?---They'd review it, give feedback if necessary, and then yeah, that would be it. I mean unless if we wanted to go ahead and get funding for, you know, whatever the scoping study was for then we would attach that scoping study alongside our funding submission.

But were other members of the Compliance team told about it, look, we did this scoping study on this piece of technology and it wasn't successful for these reasons?---I imagine so, I imagine Samer would if, if the topic came up, Samer would have mentioned it, I don't know if Samer just went around saying, you know, this, this, this didn't work, this, you know, or this did work, yeah.

30

So you had no regular meetings where feedback was given?---No, there was no regular meetings of going through different trials or anything like that, no.

What about registering the scoping study on some database so that if in two years' time somebody else thought up the brilliant idea of an under-vehicle camera they could do a search and discover that two years ago it - - -?---It was done, yeah.

40

- - - had been done and it wasn't successful?---Yeah, so I guess that's what the purpose Objective is for, but because nobody really likes using it, they, they would just keep their reports in their emails instead.

There was the anticipation that it would be lodged or registered on - - -? ---Yeah, that's the best place to lodge it, if you're going to lodge it anywhere, would be Objective.

MS WRIGHT: Was Objective a database for holding documents?---It's a document sharing platform, I guess best way to call it.

Why wouldn't reports come to you if you were the requester on the purchase order?---Because I guess because I'm not the project manager, I'm not the one that engaged the, yeah, the, the vendor for the work.

10 THE COMMISSIONER: So looking at the purchase order can you tell who engaged - - -?---Yeah, if you want to bring, what do you mean, if, could I tell who actually engaged, no, you can't. All you can see is the requester and the delegated approver. It won't actually, there's no project manager for field, no, there isn't.

MS WRIGHT: Was it documented anywhere?---I don't think so, no.

Did you have any involvement in the development of innovation-style contracts and projects?---Development of innovation-style contracts?

20 Sorry, I withdraw it. Did you have any involvement in the development of the innovation projects of this kind?---If I found something interesting I would raise it with Samer, like if I'm researching online or I've come across something that I've thought would be beneficial for what we did, I would raise it with Samer and it's up to him whether he wanted to, you know, trial it or not.

And you did attend some trials?---I did attend some trials, yes.

30 And for those trials would you have expected to see the report that came out of the trial?---I'd say so. So early on there was trials for Bluetooth scanners and toll tags that we did, so I did get the reports for those, but that, that's because I was liaising with the vendor throughout those trials, so yeah, I would expect to get the report.

Could Mr Singh be shown page 137. Did you ever see this report from Novation about the mobile ANPR camera scoping study?---No.

40 Now, could Mr Singh be shown volume 18 at page 22. This is an email from Mr Soliman forwarding an email from you to Mr Soliman attaching a thermal camera report.---So from me to him, okay.

And you recognise the email address that you sent that to, ducktape?---Yep.

And you've attached, if it could turned to page 23, you've attached a report titled Portable Thermal Heavy Vehicle Inspection Trial Marulan.---Yep.

Why did you send that report to Mr Soliman at his personal email address? ---I'm, honestly, I'm not sure. He would have asked me to, but again, I'm not sure why.

The report that you forwarded is dated June 2015 and your email was dated 11 January, 2016.---When did you say the report was - - -

June 2015.---Oh, okay. June, yep, yep.

And your email was January 2016.---A year later, yes.

10 So this appears to relate to a trial conducted more than six months
beforehand. Where did you get that report?---That, Samer, I think Samer
would have sent that to me. I think I was, I would have been employed
during that time so I may have gone to that trial or at least checked out the
thermal camera.

Well, do you want to look at the report? Did you go to that trial?---Is it the,
okay, yeah, if we can see the report.

20 If Mr Singh could be shown page 24.---Does it have images from the actual
camera, this report?

THE COMMISSIONER: Have we got a hard copy?

MS WRIGHT: Page 25. There's a hard copy, Commissioner.

THE COMMISSIONER: Thank you. Have a quick flip through it, Mr
Singh.---Yes, I did see this, this thermal camera.

Sorry, you attended the trial?---I don't think I - - -

30 Or you saw the report?---I saw the report. I don't know if I attended the
trial, though, but there was an initial meet where these guys had the cameras
just set up in the actual inspection area. So that's where I recognise these,
these image types are similar. So it would have been a trial of that same
thermal camera.

All right. This was - - -

40 MS WRIGHT: So where did you see the cameras? I'm sorry,
Commissioner.---Marulan.

THE COMMISSIONER: No, go on.

MS WRIGHT: So you did attend the trial?---It wasn't a trial, it was the
initial, so the guys went to the initial, there was an initial meet and the guys
just set up the camera and showed us a demo of how it worked.

THE COMMISSIONER: And when you say the guys are you talking about
the - - ?---This vendor, yeah, Strategic Innovations. Yeah.

So that was like a demo at Marulan?---Yes.

And after the demo, was the decision made that there should be a trial?
---Yes, that's right.

And then then the trial occurred from 22 June to the 24th, 2015?---Yes.

10 But you didn't attend the trial?---I don't think I attended the actual trial, no.
I remember attending the demo.

MS WRIGHT: Where did you obtain the report to be able to send it to Mr Soliman?---I think Samer would have given it to me, he would have forwarded it to me because he would have received it from Strategic Innovations.

And why did he send it to you?---Just to, just, I guess as an FYI on the outcomes of this trial.

20 THE COMMISSIONER: So that would have been in 2015?---Yeah, 2015.

Sorry, what did I say? 2015, sorry.

MS WRIGHT: Sorry, why would Mr Soliman be FYI'ing you, Mr Singh, on a report from a trial?---Like, maybe I asked him questions about it and he just wanted to send it to me to show me the results. I can't remember, it was a while ago. Yeah.

30 Was it customary for you to receive reports from trials conducted by your unit?---Not, not all the time. When I initially started I did get reports from the vendor who was actually running the equipment, but after that I wasn't receiving any reports, yeah. I'm just trying to figure out why I sent it to his private email.

That was my next question.---Yeah.

Why did you send it to his private email?---I'm not sure. It would have been at his request but, yeah, I honestly don't know why I did that, yeah.

40 THE COMMISSIONER: Can I just ask, with this report is Strategic Innovations capability gap specialists, are they attending the trial as the vendor or as verifying or ensuring the validity of the results?---They're attending as the vendor.

So it's their product that they want RMS to buy?---Yeah.

And you had a demo then they said let's trial this?---Yeah.

And so you've got the vendor there - - -?---Yeah.

- - - and I assume Mr Soliman because he's referred to on page 2 of 10, undergoing the test?---Yeah. So that's how it was initially done. So the vendor would run the test and then over time Samer told me that we now need independent reports on tests for the whole funding submission reason so from that point onwards, yeah, he would engage with someone independent to put a report together.

10 And when did that start, engaging the independent report producer?---I don't recall. Maybe 2015 or it could be 2016 but it was direction, he told me it was direction given from senior management.

Did you ever see the direction?---No, I didn't see the direction.

If it was a direction from senior management is that recorded somewhere? Like do you have an operations manual or something like that?---Not really. I mean, maybe it was a memo that was sent up to senior management and they sent it back with commentary saying, you know, from now on please
20 have independent reports for - - -

But you've never seen anything like that?---I've never seen a direction myself. I did, so that was the previous senior management. I did, we did raise it with Arnold Jansen who is the current senior manager during a meeting I had with him and Brett Patterson. It was a meeting with a manufacturer but it was a bit of an offline conversation afterwards because Brett Patterson was interested in trialling portable weigh scales, like the longer version of portable weigh scales and there was a discussion about, you know, seeking funding afterwards and I did ask that means we're going
30 to need an independent report. They both looked a bit puzzled when I said that and I did, gave them an explanation that it was, Samer has told me that, you know, any trials we do we need an independent report because it adds the whole weight on the funding submission, and I told them I think this was the direction given by the previous regime of senior management. And the outcome from that was that, that we don't need an independent report for trialling these weigh scales. We'll just have an internal work group to do it and the direction given by, I remember the direction by Arnold was we no longer need to do independent reports and I did convey that message to Samer. Samer also looked a bit puzzled about that and I just told him
40 maybe it's best to have a discussion with Arnold.

So when did that all occur?---That occurred in March, sorry, maybe February 2018. It was a meeting with AccuWeigh. So there's minutes from that meeting but there wouldn't be anything captured regarding the offline discussion so, yeah.

And when you said to them, to Mr Patterson and Mr Jansen, was it?
---Jansen, yeah.

That the previous regime of senior management apparently required this, who were you referring to?---So - - -

Which people?---So Samer's manager was Paul Hayes and then we had Paul Endycott and then there was Peter Wells was the director.

Okay.

10 MS WRIGHT: The next project, Mr Singh, is a thermal scanner technology project. If he could be shown page 163.

THE COMMISSIONER: Of?

MS WRIGHT: Of volume 1 still.

THE COMMISSIONER: Sorry?

20 MS WRIGHT: Volume 1, Commissioner, page 163 of volume 1. Mr Singh, this is another purchase order which you have signed. This is dated 24 February, 2016, in respect of a thermal scanner technology project in favour of Novation for \$63,340, and the quote is at page 164. Did you see the quote?---Is there another page to this quote?

Yes, page 165.---I may have seen this quote, because I know Samer did engage with Novation for a thermal camera trial, it wasn't the one on this report, it was a different thermal camera, but I'm just trying to see if there's a location in this quote. There's nothing on page 2, page 1 - - -

30 Nor on page 1.---Okay. I think it's the one, there was another one done in Marulan, I'm thinking it's related to that. I wasn't present for this trial though.

Wasn't there a requirement for quotes to accompany the purchase order request when submitted to Finance section?---To have the quote alongside?

Yes.---Yeah. So this would have been during the old, old setup where there was a Finance team. So what you do is, you upload the purchase order and the quote onto Objective and then you send the link to Finance team.

40

THE COMMISSIONER: Hold on.---Sorry.

Purchase order and quote onto - - -?---That, that, yeah, that previous form, so you put it onto Objective and then you send the Objective link to the Finance team and they'll access it and raise the actual purchase order based on the information.

MS WRIGHT: And did you do the uploading of the form and the quote on Objective?---If we go back to the actual purchase order, I don't know, because if you look at Samer's position, it's all in lowercase and that's not really my, my style, it would have been all in uppercase, so I don't know, and then my position's all in uppercase, so I don't know if I actually uploaded this or not. I'm not sure.

THE COMMISSIONER: When you say uploaded - - -?---Onto Objective.

10 Yes, but when you say uploaded includes typing the document or just - - -?
---Oh, yeah, I don't, I don't know if I've typed the document but I'm not, I don't know if I've even uploaded it, sorry. Again there should be, if it was me there would be an email, because I'd be sending an email to the Finance team saying, with the attachment, Objective attachment there, but I can't recall whether I was the one that, yeah, uploaded this.

MS WRIGHT: What were the circumstances in which you signed the purchase order?---Again as a requester, just as instructed by Samer, just to raise a purchase order, and that was always the case, yeah.

20

And would Mr Soliman give you a quote at the time he asked you to raise a purchase order?---Initially I don't think so, but he did after a while, he used to send me the quote and go, please raise a purchase order for this quote, or please - - -

And what would you do with it?---So what I would do with it, I would, there was a Form 5399 I fill in, get the cost from the quote and just insert that into the Form 5399. I'd ask Samer which funding bucket to charge it against, so he would always tell me which funding bucket to charge against, which is a
30 WBS number, and then after that what I would do is, I will bundle the Form 5399 alongside the quote and then you also need to raise a CM21, a contract
- - -

What's a CM21?---It's a contract management system. Basically - - -

How would you raise a CM21?---You log into CM21 and raise a contract, you just fill in the details and, and your price from, from the quote. And then after the contract is raised, you bundled the quote and the purchase order together and you sent it to the TSS, the team's called TSS, so you send
40 it to them and they then progress it and raise a purchase order.

And is that Transport Shared Services?---Yes.

And you referred to a Form 5399, is that a new form which was introduced later down the track?---Yes.

And so it wasn't in existence at the time of this particularly purchase order we've been looking at which is dated February 2016?---Yeah, it wouldn't, I don't think so, no.

And in February 2016, the process was that you would fill in the IMS purchase order request?---Yep.

And that would go together with a quote?---Yep. You put it onto Objective and - - -

10

Onto Objective.--- - - - send the Objective link to the Finance team and they'll access it and raise the purchase order.

And Mr Soliman, he would have asked you to do that process, would he, to raise it?---Yes.

20

THE COMMISSIONER: And sorry, in that system, did you also have to raise the C21 or did that come in subsequently when you've got the TSS group involved?---I don't think we were raising CM21 during this time and I don't know why that was the case. It was just later on, Samer taught me how to raise a CM21 contract because he said we, we needed to do it, so yeah, I don't know if one was being raised during, during these ones, sorry. Yeah, not sure.

MS WRIGHT: Now, do you recall ever receiving a scoping study report for this thermal scanner technology project?---No.

THE COMMISSIONER: He said no.

30

MS WRIGHT: Oh, I'm sorry, I was waiting for - - -?---Oh, sorry.

- - - an answer. I'm sorry. You don't recall receiving it or you didn't receive it?---I don't think I received it, no.

Did you ever question whether there was a report?---No. I didn't. I did see reports sitting on Samer's desk from Novation. So I guess I just made the assumption that reports were being created or being send to Samer. So, yeah.

40

Now, volume 1, page 226. This is a purchase order dated 21 March, 2016, where you have signed as has Mr Soliman and this is for field trials for portable weigh scales as well as procurement and a scoping study.

THE COMMISSIONER: Do you see that?---Oh, yes, yes, sorry.

MS WRIGHT: And the quote is at page 227. You would have seen the quote, Mr Singh?---Yes.

And you would have read the quote?---I don't, probably, I probably did but back then I didn't know much about portable weigh scales so, yeah.

Well, the quote refers to a field trial at a selected - - -?---RMS site.

RMS selected site. Were you aware of any trial taking place or about to take place?---I'm not sure. I wasn't, yeah, I wasn't aware that there was a trial or where it occurred.

10 Were you aware that there wasn't going to be a trial?---I thought there was going to be a trial. I assumed there would be a trial but I don't know if it actually occurred or not.

THE COMMISSIONER: Why did you assume?---Well, there was a purchase, purchase, a quote for it so, yeah.

MS WRIGHT: Didn't you say, well, "where's this trial, when's this trial"? ---Not really. Again portable weigh scales wasn't my thing back then so - - -

20 Mr Singh, you're in the Heavy Vehicles Program Unit reporting to Mr Soliman.---Yeah.

You're being given purchase order requests to sign on a fairly regular basis. ---Yeah.

Do you agree?---Yes.

30 And the quote refers to a field trial and scoping study.---Yes.

Surely you can tell us whether there was a trial of which you were either aware or not?---I don't know, like I didn't hear anything about the trial but I assumed because of the quote that it did happen. I wasn't told anything about any outcomes or anything about the trial.

You don't recall any discussion at all about there being a trial?---No, no. I didn't have any discussions about, with Samer about this trial.

40 And you didn't have any interest in whether there was a trial?---Like I said, portable, portable weigh scales, I wasn't really, I wasn't well-versed in portable weigh scales back then so it didn't make much sense to me.

When you say it didn't make much sense, what do you mean by - - -?---I mean I didn't know much about portable weigh scales back then so I guess it's not something I really followed up on.

You knew Mr Thammiah to be Mr Soliman's friend?---Yes.

Did it ever occur to you that getting all these quotes and purchase orders in relation to Novation that RMS was spending money on your manager's friend's company?---No, it didn't occur to me. I mean Samer always explained what the quotes were for, I mean it all fell back to the whole independent report requirements, so I mean, you know, you trust your manager is doing the right thing so - - -

10 He always explained to you what the quotes were for?---He would explain it before, you know, if I, because I think those ones he may have put together and had me sign it so he would have explained, or if he did just send me the quote he would explain to me what the quote is about.

Did you not put together any of the purchase order requests?---I did.

The ones we've looked at so far - - -?---It just, yeah, it's - - -

--- is your evidence that you didn't put together the purchase order requests?---It doesn't look like, I don't know, I'm not sure, because the all caps and the lowercases, it just doesn't seem right. I may have, but I can't confirm. I mean if you look at my Form 3599s you might be able to notice the difference, but - - -

20 So you've looked at them recently, have you?---I have, I have, but normally when I raise a Form 3599 I don't put anything in all caps and everything and things in lowercase, it's usually, yeah, I try to keep professional.

Well, this particular one at 226 that we've looked at most recently, your name is not in small caps but your position is in capital letters.---All caps, yeah.

30 Is it your evidence you used to use capital letters for your title and name or just your title?---My title would just be Business Systems Analyst, but it would be capital B, capital S, capital A, and then for Samer's position it would be capital M for manager and then Heavy Vehicle Programs, capital H, capital V, capital P, yeah.

So you didn't use capitals throughout your title?---No, I don't, no, I don't think I did, so that's what's confusing here a bit.

40 THE COMMISSIONER: If there genuinely was going to be a trial on new equipment and it was being organised by your section, was it the procedure that somebody from your section attend?---That was my understanding.

Right. So whether it's Mr Soliman, you or - - -?---Someone else.

--- or somebody else?---Yeah.

And how big were you in, and I'm sorry, I get terminology incorrect with, you were a branch or a division or what were you?---So our team was a unit.

Okay, so within the unit how many people were working in the unit in 2016?---2016, so that would have been myself, you'd have Samer, you'd have Theepan, Craig, Alex, Barry and we had Ange Fenech for a while and I'm not exactly sure when that was, it may have been 2016 or earlier, but that would be it. So six or seven.

10 So one of you lot would be despatched to wherever the trial is going to occur.---To be the RMS contact.

Be the what, sorry?---The RMS contact point, yes.

And wouldn't there be talk within your section if somebody was dispatched about the next day what happened or whether it was a success or - - -?
---Samer would mention that, if he's going to a trial he would mention it.

20 Or going to a trial?---Yeah. He would say I'm going to a trial and he'd, normally he'd tell me whether it was a success or not.

But what about other people?---I don't know about other people. I can't, I'm not sure if he told other people.

But what about if other people attended the trial?---Other people, then they would come back with feedback I guess, yeah.

30 MS WRIGHT: Now, the fifth purchase order is at page 255 and this is dated 9 May, 2016 in favour of Novation for a scoping study for a vehicle dimension scanner.---Yeah.

And you've said that you do remember Novation or Mr Thammiah being involved in a dimension scanner project but in the end he couldn't attend the field trial?---He couldn't attend so, yeah, this was - - -

Did you attend the field trial instead?---I got asked to go there instead, yes.

40 And did that relate to this purchase order?---I believe, yeah. You wouldn't happen to have the quote?

The quote is at page 256 and it refers to a field trial, a scoping study, field trial requirements.---It would have to be that one at Marulan.

And you see on the quote it refers to the field trial requirements of roof or gantry mounted.---Yeah, I do see that.

Was that suggesting that Novation would be involved in doing that work?
---Roof or gantry mount doesn't even make sense because the vehicle

dimension scanner wasn't installed on a roof or gantry. It was installed underneath the, the shed at Marulan, yeah.

And the quote refers to engineering design and fabrication of a mounting bracket.---So that was done by the vendor of the dimension scanner, SICK.

10 And did the trial take place after the quote and purchase order or the purchase order request was signed?---So, yeah, the purchase order was raised and the trial was, did commence afterwards and, yeah, so Stephen couldn't attend so I got sent instead and next time I was in the office I did raise that with Samer. I asked him how do we go about cancelling that purchase order because Stephen didn't attend the site and he said leave that with him so - - -

THE COMMISSIONER: Hold on, hold on, hold on.---Yeah.

You raised the purchase order?---Yes.

20 And you got the quote?---Yeah.

And he anticipates that there's going to be a field trial?---Yeah.

And it's going to be at Marulan, was it, sorry?---Yeah, Marulan. Yes.

Mr Soliman is supposed to go but he can't go?---No, Stephen. Stephen is supposed to go.

30 I'm sorry.---Yeah, Stephen is supposed to go but I think he had an injury so Samer contacted me and said - - -

You go.---Asked me to go instead to liaise with the vendor who will be - - -

So you go to the site?---Yeah.

And the vendor is there and the trial is undertaken?---Yeah.

40 And then I'm sorry, this is where, you come back to the office and what do you say to Mr Soliman?---I raised it with Samer saying that, you know, Novation didn't attend the field trial so how do we go about cancelling this purchase order and he said leave that with him. So, and that was kind of the end of that, yeah.

MS WRIGHT: Commissioner, there was a document I referred to earlier from volume 18 which hasn't been tendered. If that could be marked for identification.

THE COMMISSIONER: My recollection is in volume 18 that commenced at page 22.

MS WRIGHT: Yes, to 32.

THE COMMISSIONER: And ended at page 32, was it?

MS WRIGHT: Yes, Commissioner.

THE COMMISSIONER: All right. Volume 18, pages 22 through to 32 will be MFI 3.

10

#MFI-003 – VOLUME 18, PAGE 22-32

THE COMMISSIONER: And because, this is probably stating the obvious, because Novation didn't attend the trial, they couldn't produce a report?
---No.

MS WRIGHT: Did you ever see a report of a dimension scanner scoping study?---SICK, the vendor who was there, they sent their own report.

20

Did you ever see a report from Novation?---No.

So could I show you at page 275 a report under the company logo Novation, Vehicle Dimension Scanner Scoping Study, and then if we turn to page 278 it refers to a scoping study being commissioned and then the second paragraph refers to a SICK, S-I-C-K, laser scanner.---Yep.

You say Novation wasn't involved in a trial of a SICK laser scanner, to your knowledge?---No, they weren't present, they weren't present at the trial, no.

30

At page 280, third paragraph, "Novation Engineering performed an extensive in-field study on the dimension scanner." Do you see at third paragraph?---Yep.

You would contradict that statement?---As far as my knowledge goes, yes, they weren't present at that trial while I was there with SICK.

Page 284 it says, "Field trials were conducted at the RMS Marulan southbound heavy vehicle safety station site in conjunction with enforcing operations inspectors." Was that the location where you attended on the occasion when Mr Soliman asked you to attend because Mr Thammiah couldn't?---Yes, it was Marulan southbound.

40

And was there anyone there from Novation or representing Novation at all?
---No, no.

Were there inspectors there with you?---Inspectors were there, yes.

Do you remember the date of the field trial that you attended?---I don't, sorry. There would have, there should have been a calendar invite for it. But yeah, I don't know off the top of my head.

And you returned, did you, to the office and at some point after that you raised with Mr Soliman that you thought the purchase order should be cancelled?---Yes.

10 And what was his response?---He said, "Leave that with me," he will handle it, so yeah.

And did you receive any invoice in relation to that matter, from Novation? ---I didn't. I could check my emails, oh, when I was still at RMS I was checking my emails for it and I didn't get an invoice on that.

Were you aware of any invoice being generated or paid?---No, I wasn't aware of any invoice.

20 Now, the sixth scoping study comes later but if I could first show you an email, page 289A of volume 1, and the subject line, "In-vehicle mounted ruggedised tablets trial and scoping study," I'll let you read that.---Yep.

And Mr Soliman has said to you in that email, "I've left a PO for you to urgently progress." Was that the practice, that he would leave purchase orders for you?---That has happened before. I normally, oh, I, well, I can talk about in the last two or three years or two years, I've been raising them myself, but back then, yeah, that was a practice where he would complete it and he would ask me to, yeah, sign it as a requester and progress it. So he,
30 I'm assuming he probably signed it already as a delegator and he would have just needed me to sign it as the requester.

And he says in that email that he, that is, he says "I'm testing the idea of removing the big, expensive Toughbooks from vehicles and replacing them with a ruggedised tablet mounted in the front of the vehicle." So, and then he refers to IVRs. Is that for, does that mean inspectors?---Yeah, in, back then it was Inspectors Vehicle Regulations.

40 And were you involved in that project other than raising a purchase order? ---No. All I did was raise that purchase order.

And he asked you to "Sign, submit it to Finance and enter into CM21 tomorrow when you're back as a matter of urgency so we can secure the funds."---Yeah.

Did you understand what the urgency was?---No, I didn't understand what the urgency was.

And securing the funds, did you understand that the purchase order – I withdraw that. Did you understand that by that he meant that the purchase order would authorise the funds for that expenditure for the trial and scoping study?---I guess so because it looks like he was going to use excess money from Deborah Marks.

THE COMMISSIONER: I was going to ask what “Debs” was.---Yeah. Yeah, yeah.

10 I thought it might stand for something, but it’s a reference to Deborah, is it?
---Yeah, yeah, yeah. So - - -

And who was she?---So I think, I don’t know exact title but I think she was a bit of a program manager in a different unit.

So we’re coming up to the end of the financial year.---Yeah.

There’s a suggestion her section has some excess money.---Money that needs to be spent.

20

And you’ve got to spend it by the 30th.---Yeah, yeah.

You spoke before, when you raise a purchase order I think Ms Wright asked you about indicating the bucket where the money came from.---Yes. Yeah.

Does that indicate that the bucket is coming from Deb’s area?---That’s right.

And do you mark that somehow or indicate that somehow on the purchase order?---Yeah, so if you bring up any purchase order now - - -

30

Have we got the purchase order for this one?

MS WRIGHT: Yes, Commissioner. It’s at page 295.

THE WITNESS: So, so let’s just say point number 4, service items.

THE COMMISSIONER: Yes.

THE WITNESS: So you’ve got cost object.

40

THE COMMISSIONER: Yes.

THE WITNESS: That’s the bucket.

THE COMMISSIONER: And whatever T/78055/G means - - -?---Means.

- - - it equates to Deb’s area?---Yeah.

Right.

MS WRIGHT: Did Mr Soliman ever tell you that he himself had prepared quotes?---No, he never told me that.

The quote for this project is at page 296. When he said, "I've left the PO for you, he would have left the quote for you" as well?---He would have had to have because I would have needed the quote to put on to Objective to send the link to the Finance team.

10

And this – okay.---Yeah.

This quote refers to a field trial and a procurement of tablet options and a scoping study as well as engineering and fabrication and a report as coming within the scope of works.---Okay, yeah.

Do you know whether a field trial took place?---No, I don't know.

20 Do you know whether there was a procurement of tablet options?---I don't know, because normally when we're, when we procure Toughbooks, it's through our IT, IT Department, so I'm not sure if these were procured, no, I'm not sure.

THE COMMISSIONER: Sorry, what did you say? That - - -?---IT. Normally when we procure it, we need to procure, like a Toughbook, for example, it would be procured through our IT area. Yeah.

You wouldn't go directly to the market or - - -?---No, no.

30 You'd go through your IT section.---It's just a request for the IT, yeah.

MS WRIGHT: This seems to be suggesting that Novation would procure the tablets.---Yes.

Do you agree?---Yeah, that's what it says. "Procurement of RMS-selected ruggedised tablet options," yes.

40 Do you know whether Novation did procure tablet - - -?---I don't know, don't know.

Did you ever receive a report in relation to this project?---No, I did not.

Was there any question in your mind at this stage, Mr Singh, about yet another project being awarded to Novation, in which it was to conduct a field trial and provide a report to RMS?---Not really, no. Because all this would have fallen in between all the other work I was doing so it obviously didn't come across my mind but, yeah.

And so you just signed the purchase order and processed them, seeing your task as really an administrative one, is that what you're saying?---Yes.

But there were times when you did receive the follow-up reports for projects?---From other vendors, initially I used to get, oh for the SICK, the SICK dimension sensor, I did get the report for that one, SICK sent it to me but before that, before this whole independent report thing came up, I used to get the reports from the vendors, didn't make sense.

10 Sorry, when did you get the reports?---Initially when we used to first engage with vendors directly without the need for an independent report, that vendor would normally send their report, their findings to us.

THE COMMISSIONER: And why would it be sent to you?---Because normally I would be out on site.

20 So I think you described it as the RMS contact person at the site. Was it the expectation that they would receive the report?---Yeah. Well, normally Samer would engage with the vendor, he would give them, you know, the requirements and everything and they he would send me out to site just to make sure everything is running smoothly, I guess, yeah. So normally when the reports did come through, it would come through to both me and Samer and, yeah.

MS WRIGHT: Were there any other independent or so-called independent external entities other than Novation and AZH that you were aware of the Heavy Vehicle Programs Unit using?---Not that I'm aware of. I know we, our area used SGS as well.

30 THE COMMISSIONER: Sorry?---SGS. Who I did suggest to Samer as well to use because the other guy's in our area's been using them or independent testing. So I suggested that to Samer, he hadn't heard of SGS at that point but he said he would look into them and yeah.

MS WRIGHT: When did you make that suggestion?---Maybe 2017.

40 Why did you make that suggestion?---It was just another, because we didn't have, I didn't know too many or we didn't know too many independent test houses so I knew of SGS so I thought I would suggest SGS as well as another testing house that we could use so we could kind of share the work and at least have another test house who understands how our, our operations of our team and, you know, we can engage with.

THE COMMISSIONER: And who wasn't a friend of Mr Soliman's? ---Yeah, he wasn't a friend of Mr Soliman's, no.

You said independent testing but were, to your knowledge, AZH and Novation actually testing?---They were, my understanding is they would

collect the data from the systems. It's, it's not testing but it's an independent test report I guess, outcome, an outcome. Yeah, so, yeah.

MS WRIGHT: Apart from SGS, were you aware of any other external entities, apart from Novation and AZH, used for independent testing?---No.

THE COMMISSIONER: You made a comment that you did see some Novation, some reports on Mr Soliman's desk which had a Novation logo on it.---Yep.

10

When was that?---It would have been around the time when he was engaging Novation for the trials.

Do you actually remember?---Not the exact date or month.

And did you look at the documents?---I did not look at the documents, no.

So your recollection is there was a - - -?---Yeah, there's just a - - -

20

- - - document with Novation logo?---Yeah, yeah, just sitting on his desk.

MS WRIGHT: I've taken you through five projects, so five field trial scoping study projects in addition to the under-vehicle camera project. Did you have any contact at all with Mr Thammiah yourself in relation to these projects?---Besides going to the thermal camera one and seeing him there, I don't recall having any contact with him for the other pieces of work.

What did he do at the thermal camera trial?---So this was, he was, it was the, it was, I'm pretty sure it was the, this one here, this thermal camera.

30

THE COMMISSIONER: Hold on. Which one are you waving around? ---Sorry, this one from 2015. I thought it was this one, but I'm confused now.

MS WRIGHT: Is that the document by Strategic Innovations?---Yeah. So I thought he came in, I saw him there for, when they were running this one, this trial.

THE COMMISSIONER: Is this MFI 3?

40

MS WRIGHT: Yes, Commissioner.

THE WITNESS: I thought I saw him for this one. I might be confused.

MS WRIGHT: Well, whatever project it was, Mr Singh, what did you see Mr Thammiah do?---He was just overseeing, like the vendor, what, and yeah, he was just in discussions with the vendor, he was just mainly overseeing, watching the screen the vendor was looking at and it was the

vendor that's usually making decisions whether to pull a vehicle in because the brakes look, looks like there's something wrong with the brakes, yeah.

Did you see him do any work apart from looking at a screen?---I did not see him do any work, when I was there anyway. Yeah, he was just in discussions with the vendor and just, yeah.

10 And what was your purpose in being there?---I don't recall why I went, I probably set there just to see the setup and how it was set up, how the cameras were set up down the screening lane.

So you weren't running the trial?---No, no, no, I just went to check out the, the, the system and then I think I was only there for about an hour.

And why were you checking out the system?---Because I was interested. I think the whole thermal camera innovation's interesting for brake - - -

20 So you went off your own initiative, did you, because you thought it was interesting?---No, well, Samer probably asked me to go.

Well, when you say probably, Mr Singh, do you recall that Mr Soliman asked you to go?---No, I don't recall, but I wouldn't have gone on my own accord, it would have been under direction though.

So you never went to a trial of your own accord? Because initially you said, "I went because I thought it was interesting."---Yeah.

30 So I'll just ask you if you could not speculate, I suppose, in your answers. ---Yeah, sure, sure, sorry, sorry.

You went to a trial. You recall that Mr Thammiah was there.---Yeah.

You saw him speaking to the vendor?---Yeah.

You saw him looking at a screen?---Yeah.

40 Did you see him do anything, engage in any activity, take any measurements or operate any machinery?---I didn't see him do anything like that.

You didn't see a scoping study report after that trial?---No, I did not.

And did you yourself do any work at the trial?---No, I did not.

Do you recall your reason for being there or how it came to be that you were there?---It would have had to have been under direction. I do, the one thing I did recall doing was the vendor asked me to speak to the inspectors just how the, how the whole process was going to work, because the vendor

would identify there's something wrong with the brakes and they'll need to notify the inspectors, so it was just making sure that everyone was aware of that process and that was about it, from what I recall.

If Mr Soliman could – sorry, not Mr Soliman, Mr Singh could be shown volume 2 at page 67. Now, this is an email from Mr Soliman to you of 13 March, 2017, forwarding an email from Mr Thammiah, which submits the final version of the vehicle dimensions scanner scoping study.---Yeah.

10 Now, I took you to this report before. It's the one which refers to the SICK laser scanner and the trial at Marulan southbound heavy vehicle safety station site.---Yeah. Yeah.

Why did you receive that?---I'm not sure now. I thought I hadn't seen the report. Yeah, I'm not sure.

You were aware that Novation hadn't attended at any such trial.---Yes.

20 Because Mr Thammiah was ill you were told.---Yeah. Yeah, I'm just - - -

Did this ring any alarm bells?---No, I, yeah, I didn't realise I received this, to be honest. It should have rang alarm bells. Yeah.

There's nothing in the body of the email either. Do you recall receiving it? ---I don't recall receiving it, no.

30 Do you recall whether around this time AZH was being given a contract to test a SICK dimensions scanner?---They were for the high-speed dimensions scanner at Twelve Mile Creek, but that was a different SICK system. Yeah.

So the AZH system was a different SICK system?---Yeah, at, at Twelve Mile Creek, yes.

And you were involved in raising the purchase order for that one for AZH? ---Yes.

40 And if I suggest that you sent to Mr Hamidi the purchase order in relation to that project about 10 days after Mr Soliman sent you this SICK-related dimensions scanner scoping study, does that ring any bells?---No, it doesn't.

Now, you're aware that AZH was awarded a number of scoping study contracts by RMS.---Yeah.

And you attended some field trials with Mr Hamidi.---Yeah.

How many do you recall attending?---There was three.

And was one at Picton Road?---Yeah.

And where were the other two?---One was at Twelve Mile Creek and the other one was at Marulan.

10 What did you do at each of those trials?---I was pretty much liaising with the, so for the Twelve Mile Creek it was the SICK system, so SICK was there, the inspectors were there and Ali from, Ali was there. So first thing I did was just explain to Ali what we were doing and I explained the, the layout of the checking station, how everything worked, explained to him the SICK system, and then after that it was just really coordinating with inspectors and SICK to capture and measure vehicles.

So how is it you explained the SICK system to Mr Hamidi? You were aware of that system, were you?---Yeah. Oh, it was high-level laser-based scanning system that gave, provided a 3D profile of vehicles as they travel through it, yeah.

20 So you had some knowledge of the technology?---Yeah. Really high level.

And were you running this trial?---I was, yeah, I guess so. I was coordinating the trial, yes.

And the vendor, SICK, was there?---SICK was there.

30 And what did you understand Mr Hamidi's role to be?---So my understanding was Ali was supposed, was going to get the data, the output from the SICK system and the measurements from the inspectors and then perform an analysis on the accuracy of the SICK system.

That is compare them?---Yeah, compare them, yes.

That's the analysis?---Yep.

And what would he do with that?---And then they would, he would have to produce a report with the outcomes of the, yeah, of his analysis.

40 And why couldn't you do that role in comparing the data?---Because it all comes back to the whole requirement for an independent report for any future funding submissions.

Did you ask Mr Ali to attend that trial?---I think Samer asked him. I may have sent a calendar invite out though to all the parties, yeah.

Did you assist Mr Hamidi with his task in comparing the data?---No, I did not.

Did he give you any of the data that he noted down?---No. He didn't, no.

Did you see him with a pen and paper or how did he perform his tasks?---So from my understanding, it was SICK that was capturing the data.

How were they capturing it?---So they had their system. They connect their, their scanning system and the system was providing them the measurements from the SICK system and SICK was also capturing the manual measurements and my - - -

10 THE COMMISSIONER: And sorry, SICK was also capturing manual - - - ?---Yep. And my understanding is that, yeah, that spreadsheet was also provided to Ali.

So what you observed was that the recording of both the equipment generated data and the manual measurements was being done by the vendor?---Yes.

So what was Mr Hamidi doing?---Yeah, so he's - - -

20 Just standing around?---Yeah, measuring, helping measured the vehicles, taking note of any issues, like, I think we noticed that the SICK system, the length was out by a huge margin so it was just, yeah, noting those issues down. Yeah, so it was just, yeah, capture the data and then he'd provide - - -

But he wasn't capturing the data, was he?---He wasn't capturing but that data was provided to him and then - - -

30 Your expectation was he would prepare a report?---Yeah. That's my expectation.

MS WRIGHT: Did you see a report after that SICK trial?---I did not see a report.

Would you have expected to see a report?---So SICK sent their own report so I has SICK's report and - - -

40 THE COMMISSIONER: And they sent it to you?---They sent it to me and I think they sent it to Samer as well. So I had their report and I didn't, I honestly didn't think about AZH's report because the only reason I would need the AZH report is if I had to put a submission together for funding. So that's the only reason I would need that report. So didn't cross my mind.

So if the trial wasn't a success, if the conclusion from the trial was this piece of equipment doesn't serve its purpose or isn't useful for RMS, so it wasn't going to be further pursued, in a way that was the end of the matter, the report wouldn't have needed to accompany a finding request, the only requirement would have been as a way to distribute the knowledge or the

findings through the team, it probably should have been - - -?---In Objective.

Yes, lodged or registered on Objective?---Yeah.

MS WRIGHT: Did you say that that particular trial in relation to the SICK technology was at Twelve Mile Creek or was it elsewhere?---The FPS system was at Twelve Mile Creek.

10 You were coordinating that trial?---Yes, I was, yeah, I was working with the vendor, I was working with the inspectors and also with Ali.

And was it technology that was successful?---The, so, it was accurate, it met the tolerances that SICK advertised, I guess, if that's the word, the only issue was the inspectors had issues measuring, because they can't reach all the points of the heavy vehicle, so for example let's say the length, the SICK system said the length was X and if it was a log truck, logs are all different lengths, so the longest log could be right at the top of the vehicle so it's difficult to measure the length because they use a measuring tape, so
20 they're at the bottom and it's difficult to kind of align that measuring tape with the, with the longest log, or if it's height, I mean the highest point could be in the middle of the vehicle so their height sticks can't reach to the, to the middle of the vehicle, so, so the system itself may have been accurate but the problem was the inspectors had issues confirming the measurements that the SICK system was providing. So - - -

THE COMMISSIONER: So that's more a problem with the trial.---The processes, the current process RMS has with the manual measurements doesn't complement automated measuring system I guess. So - - -
30

That wasn't obvious beforehand?---Not until I was there and I was talking to the inspectors and they kind of pointed it out, because the one we trialed at Marulan is a slow-speed dimension sensor which is highly accurate and I guess the types of vehicles that go through Marulan are more box and all even and it's easier to measure compared to the vehicles that was coming through Twelve Mile Creek where it was like logging trucks and all sorts of weird and wonderful shapes. So yeah, so that was identified, that issue was identified at Twelve Mile Creek.

40 MS WRIGHT: Even if there was an issue or problem with the technology for some reason such as you've given in relation to the inspectors' experience of it, there was to be a scoping study report prepared by the so-called independent valuer.---Yeah.

But is it your evidence that you never saw a report coming out of that trial? ---I don't, I did see one or two reports from AZH but I don't, I don't recall what they were, but in terms of was there a report sent to me about that trial, I don't think so.

THE COMMISSIONER: Sorry, you said you saw one or two - - -?---Or two, yeah.

- - - reports from AZH.---AZH, yes.

Did you see those because they were sent to you?---No, that was part of the PSC Panel tender, yeah.

10 MS WRIGHT: And did you think that Mr Hamidi had any qualification to be attending trials doing that work?---I mean I noted, pointed out that I had concerns about his knowledge in ITS technologies, but in terms of data analysis, I understand that's his previous, or his role at Optus was around that and reporting, so I thought he could do that part of it, but yeah, so, but - - -

It doesn't sound terribly complicated, the data analysis, in comparing two sets of data. Would you agree?---Yes, yes.

20 Anyone in a sense could have done that task?---Yeah, yeah.

But you didn't think that Mr Hamidi had any special knowledge about anything to do with heavy vehicle-related equipment?---In terms, oh, just ITS technologies, no.

And you never said to him, this is a bit weird that you're doing this?---I don't recall raising that with him. I did raise it with Samer of course.

30 THE COMMISSIONER: Well, you said you raised it right at the beginning.---Yeah, I raised it right at the beginning.

40 Subsequently did you raise it with Mr Soliman?---I don't think, I don't think I did. Yeah, I mean, I, when we were out onsite I did explain to Ali how the screening lane worked. I walked him down the screening lane. I pointed out different devices and what they were used for at Marulan. I pointed out the LTI sensor and explained that it's a laser-based system that captures the height and the length of a heavy vehicle. I showed him the, the, our system called TruckScan which is used for heavy vehicle compliance, so it screens heavy vehicles, it issues, they use it to issue, inspectors use it to issue notices and capture inspection data and any intel regarding the heavy vehicle. So I explained to him, you know, our processes and the technologies we had. Yeah - - -

And that was all new to him?---He, it looked like he was understanding what I was explaining to him. Yeah, it looked like it made sense to him. I mean, whenever he had questions, he did ask about the business processes and things like that, so, yeah, yeah.

MS WRIGHT: Now, you were involved in raising the purchase orders for many of the contracts awarded to AZH, do you agree with that?---In, yeah, initially, yes, I was the one tasked with raising the purchase orders.

And if I suggested to you, would you accept that you are the requester on purchase orders for nine of the 14 purchase orders submitted to RMS?
---Yeah, so if my name is in the requester then, yes, that would be correct.

You signed the requests?---Yes.

10

And do you say you saw only two scoping study reports from AZH and that was at the time of the - - -?---PSC.

- - - PSC application made by AZH?---Yeah.

But outside of that PSC context, you didn't see reports by AZH?---I saw reports on Samer's desk by AZH, but, yeah - - -

You don't know which ones?---I don't know which ones, sorry, no.

20

THE COMMISSIONER: You didn't read them?---I didn't read them, sorry, yeah.

So it was, again did you see something like an AZH logo on a document?
---Yeah, it had a logo and had a title. I guess the report title but, yeah.

MS WRIGHT: The RMS records show that AZH submitted five quotes between 17 and 31 January, 2017 for scoping study trials. Those quotes were addressed to you. Do you recall receiving quotes?---I recall Samer forwarding me some quotes, asking me to raise a purchase order for them, and I think AZH did send me some quotes directly but I didn't engage with them.

30

Well, we'll just draw onto the screen the quotes if that's convenient. Volume 3, page 94. So this is a quote of 18 January, 2017, and I'll just give you a moment to have a look at that.---Yeah.

That's addressed to your attention. And then on page 95, Mr Soliman has asked you by email to create the 5399 and DOI and submit with the quote.
---Yeah.

40

And you did that?---Yes.

And what is the DOI?---So when you create a contract in CM21, it's a, you've also got to complete a DOI, disclosure of information, statement.

What's the purpose of that?---I'm not sure, to be honest. It's just a, it seems like it's just a process, a process thing. I was, whenever I got tasked with filling one in, I just got told to put "N/A" all the way through. So - - -

Well, there's one at page 99. When you say "N/A" - - -?---Oh, so it's not "N/A"s but it's just, sorry, it's just - - -

- - - you're referring to the bottom of the page, are you?---Yeah, so - - -

10 In the case of a contract arising from a tendering process, summary of the criteria against which the various tenders are assessed. Because there is no tender, is that why you said not applicable?---I always just got told to put that in there by Samer. He taught me how to fill in the DOI, so.

But did you fill in the rest of the information on that DOI?---Yes.

And then at page 140, the same volume.

20 THE COMMISSIONER: Can I just, sorry, before we leave page 95, so AZH has sent the quote to Mr Soliman and Mr Soliman has forwarded it to you with the request to create those other documents.---Yeah.

Is that how he usually communicated with you the request to create the - - - ?---A purchase order?

Yes.---Yeah, yeah. Generally it was like that. I mean, he might be sitting in front of me at the time and he would explain it a bit more but, yeah, it would just be, yeah, a forward like this and, yeah.

30 MS WRIGHT: And similar process for a quote on 18 January, 2017.

THE COMMISSIONER: Which page was that?

MS WRIGHT: Page 140.

THE COMMISSIONER: Thank you.

MS WRIGHT: Where Mr Soliman's asked you to open the purchase order and the DOI.---Yeah.

40

And forwarded you the quote, which is at page 141. That quote is dated 20 January, so two days ahead of the email.---Is it?

THE COMMISSIONER: The email's 18th.

MS WRIGHT: Email's 18th.---So the email's on the 18th and the quote was actually on the 20th. I did not pick up on that. Normally when I raise a purchase order, all I do is open the quote and just copy the price. Yeah.

And you raised a purchase order for that one, but I'll just take you through the various quotes received in that two-week period, Mr Singh. Page 172, the quote dated 21 January, again to your attention.---Yeah, yeah.

10 And at page 185 is a quote dated 22 January, again addressed to you. And then at page 211 is another quote addressed to you on AZH letterhead, dated 23 January, 2017. And you are also named on all the purchase orders and have signed those. Prior to this, RMS had not used AZH Consulting before to your knowledge?---No, not to my knowledge.

And you get five quotes in that period of time. Would you agree that's a fairly short period of time to be getting five quotes for five different projects to be awarded to AZH?---And I, yeah, I honestly didn't realise that at the time. I didn't notice that there was five quotes in a week. But, yeah, you're right, that's a fair amount of quotes to receive.

20 And if we could just draw onto the screen one of the quotes at perhaps page 94. Do you see down the bottom there's terms and conditions?---Yeah.

And they include that, "The customer will be invoiced after indicating acceptance of this quote, payment will be due prior to delivery of service and goods."---Yes.

30 Did it strike you as unusual to be getting quotes with that term and condition?---I actually, like I said, all I did was copy the price, but when I did receive the first invoice I did get in touch with Ali and I told him, I asked him where's the report, I think it was for the thermal camera trial, so that was the first invoice I received and I spoke to Ali and I asked him where's the report, I can't approve this until I have a report, and then I spoke - - -

What did he say?---He asked me to speak to Samer about it. So I had a chat with Samer and I pointed out the same thing, that I hadn't had a report, how am I going to approve this invoice, and he said that the, then he pointed out the payment terms to me, he goes that's the payment terms that he's agreed to.

40 Who has agreed?---Samer, Samer Soliman, he's agreed to those payment terms, so that invoice is good to approve, so under his instructions I approved the invoice.

And Samer asked you to approve or told you that he approved the invoice? ---He approved the quote, so I have no delegation or authorisation to approve quotes, so he approved a quote with those payment terms so he then instructed, because I'm the requester, I get the invoices, that's how it works, so he then instructed me to approve the invoice.

And did you, so that was for the first trial.---Yes.

And was that for every subsequent trial where you were sent the invoice?
---I was sent the invoice and I would have spoke to Samer about it and just made sure I got his approval, because again, I don't have the report so I can't, I can't approve anything, I can't approve anything to begin with, without seeking Samer's approval, so yeah, I'll always tell Samer I've got this invoice from AZH and he'll tell me whether to approve it or not.

10 And having received his advice whether to approve it or not, what did you do with the invoice?---If he says approve it, then I would go ahead and approve the invoice.

How did you do that?---It's just, so these would have been received in Equip, in my workflow, so everyone's got a workflow in their Equip, so you go into your workflow, you open up the invoice, or you open up, yeah, the invoice, and then what you do is, you then have to do a goods receipt, so it's a completely different screen which you have to go into, and then what you need to do is open up the purchase order itself that was raised to AZH and
20 then copy the amount from the invoice onto the goods receipt screen and then that's how you approve it, you submit that and that then gets scheduled for payment.

THE COMMISSIONER: Can I just go back to the beginning.---Yeah.

The purchase order is raised and you're listed as the requester.---Yes.

That means that ultimately when RMS receives an invoice, the invoice comes to you.---The requester, yes.

30 Can you just follow that procedure or you've got to go to some kind of supervisor or manager to get the tick - - -?---Well, I have - - -

- - - to pay the, or to arrange for the payment of the invoice?---Yeah, I don't have the authorisation to approve the invoice myself, so I would have to always seek a supervisor's approval, because I have no delegation, so I guess someone with a delegation can approve it.

40 All right. But you'd go to Mr Soliman with these?---I go to Samer, yes.

And how is his approval recorded in the system?---It's not recorded.

What, is it a matter of trust that - - -?---A verbal, yeah, like.

As you said, the invoice comes into your workflow in Equip.---Yeah.

You then said that you did various documentation.---Yeah.

But does the system assume that you would have received the approval of a relevant supervisor or manager?---Yeah, I guess. It's not captured anywhere in the system that, that – you could actually place a note in the, when you're approving the invoice, saying approved by manager, but I just, I just thought of that process - - -

But it wasn't mandatory?---No, no. I just thought of that process now. Probably should have done that. Yeah, but it wasn't mandatory, no.

10

And as the requester getting the invoice, that suggests that the system anticipated that you had some kind of responsibility or oversight of the project?---Yep, that's right.

Where the various purchase orders that Ms Wright's taken you through with Novation, you agree that you were really just performing an administrative function?---Yep, that's right.

That seems to be circumventing the system.---Yeah. I would say so.

20

You agree with that?---Yeah, I agree with that, yes.

Did it dawn on you at the time that that was what was occurring?---No, not at the time. I mean, I've had other guys in my team ask me to raise purchase orders on their behalf as well, so I was, I was kind of the guy to raise purchase orders, so - - -

It was common within your team, was it?---Yeah. It was common in my team and I know Samer also got other guys to raise purchase orders on his behalf as well, so, yeah.

30

MS WRIGHT: Could Mr Singh please be shown page 242 of volume 3. Mr Singh, this is an email from Mr Thevasathan to Mr Soliman and to you, 24 May, 2017, and he attaches a document I'll take you to in a second, asks you "If work received to satisfactory standard? Okay to release funds?" And at page 243, there's an AZH invoice for what I would suggest is the sixth scoping study and field trial AZH was awarded for a thermal and cold camera field trial. Now, you're not just being copied on that email, that's actually sent to you Mr Singh, and Thevasathan's asking whether the work was done to a satisfactory standard and he can, it seems, approve the invoice?---Yep.

40

And in light of the evidence you've just given, which was that you don't approve the invoice, how does this stand with that?---So he was probably seeing whether this work was delivered. So he knows I work on some trials as well so he was probably checking with both me and Samer to see if the work was delivered. I, I didn't recall seeing that email until afterwards

when I was looking through my emails for everything AZH related, I found that email so I wouldn't have sent my approval.

Is that since the Commission proceedings have been on foot?---Yeah.

And what's your recollection about how you responded to that email?---I can't recall responding to that because I, yeah, if it was something about invoice approvals, I would have not responded to that I don't think. I shouldn't have to my recollection.

10

He's asking you whether the field trial has actually taken place and the scoping study report's been provided. Do you agree that's the likely reason that he's written to you to ask whether the work's been done?---Because yeah, he knows I'm usually involved, especially with the thermal camera stuff, he knows he was, I was involved. But that one, yeah, he was probably checking whether work's been delivered but I can't respond to that because I, I don't recall seeing that email until afterwards but - - -

20

Was that work delivered?---I don't know. That's something when I was investigating afterward, that's completely different to the, the, the, the first quote you showed me, the thermal camera FLIR.

Which was Picton Road?---Yeah, Picton Road. This one is a bit different.

It was a different project?---Different, yeah, this is different.

And you didn't attend any trial?---I didn't attend that trial, no.

30

And to your knowledge, did AZH attend any trial?---I didn't know that trial existed, yeah, I don't know.

Well, Mr Thevasathan seems to think you knew whether it existed.---He probably, again, he knew I was involved in thermal camera trials, so he probably just sent it to both me and Samer to see if one of us knew.

And if you were involved in thermal camera trials, you would know, wouldn't you, whether there was such a trial.---I should have known, yeah, but I wasn't aware of any other thermal camera trial.

40

And it wouldn't take place without your knowledge?---During that time, no, it shouldn't have. Later on I did get completely reassigned from trials, I got taken off the thermal camera project, so I lost all visibility then, but - - -

And so at the time you received this question from Mr Thevasathan, you would have known that there was no trial that AZH had participated in.---I don't recall seeing that email, though. I must have missed that email because Ali discovered that email when I was looking through my emails again.

Is that true, Mr Singh, that you must have missed this particular email?---I honestly don't recall seeing that email until when I was investigating again. Yeah.

Do you recall ever a time when a trial was brought to your attention where you knew that no trial had taken place?---No, I didn't know that.

10 And just going back to the five quotes that I took you to, did it strike you as unusual to be getting quotes on an almost daily basis during that period?---I think I mentioned it before. I didn't, it didn't occur to me at that time, but looking at it in hindsight, yeah. I mean, like I said, I'm, my workload, I was working on a whole bunch of things so probably didn't, wasn't as noticeable as it is once you're looking after one after another and you're looking at the dates.

Yes, but this is your friend's company.---Yeah.

20 And he's just been introduced to RMS business.---Yeah.

And you said earlier that it did occur to you that there might be some preferred treatment to a friend.---Yeah. Yeah.

So you knew that there was an issue with that, and you're suddenly receiving five quotes in a short period of time amounting to over \$150,000 going to your friend's company.---Yeah. I should have picked up on it, but, yeah.

30 THE COMMISSIONER: But also a friend who you know is working full-time at Optus.---See, he told me that he was about to be made redundant in a month or two when I spoke to him back then, so I didn't realise he was still working at Optus. I was surprised he was still working at Optus until mid-2018.

40 You must have learnt that when you were playing soccer.---We don't normally talk about work. I try to avoid it because, yeah, when people ask me about work I usually have a template response saying I'm just busy, because what we, things we work on is pretty sensitive so I try not to disclose the things I do outside, but, yeah. But you're right, I should have picked up on (not transcribable)

MS WRIGHT: Did you intentionally keep yourself unaware of what was going on with AZH, Mr Singh?---No.

Your Honour, I note the time. Could I tender some materials?

THE COMMISSIONER: Yes, certainly.

MS WRIGHT: I tender a USB containing volume 16A and 16B.

THE COMMISSIONER: A USB containing volume 16A and 16B shall be Exhibit 38.

MS WRIGHT: Yes. I'm sorry. I'm told it should go back into Exhibit 34.

THE COMMISSIONER: I've crossed out 38. Okay, so volume 34 will now include volumes 16A and 16B.

10

#EXH-034 – VOLUMES 16A AND 16B

THE COMMISSIONER: Any other administrative issues from anybody? We'll resume tomorrow morning, Mr Singh, if you can be back here at 10 o'clock. We'll adjourn until then.

20 **THE WITNESS STOOD DOWN** **[4.04pm]**

AT 4.04PM THE MATTER WAS ADJOURNED ACCORDINGLY
[4.04pm]